

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-492-FDW**

CURTIS HAGGINS,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
GERALDINE BENNETT, et al.,)	
)	
Defendants.)	
_____)	


THIS MATTER is before the Court following Plaintiff's failure to comply with the Court's order requiring Plaintiff to amend his Complaint. See (Doc. No. 34).

Pro se Plaintiff Curtis Haggins, a North Carolina state inmate currently incarcerated at Lanesboro Correctional Institution in Polkton, North Carolina, filed this action on January 30, 2017, pursuant to 42 U.S.C. § 1983. Following an initial review by this Court, the Court ordered Plaintiff, on October 5, 2017, to file an Amended Complaint within thirty days to cure the deficiencies in his Complaint. (Doc. No. 32). Plaintiff filed an Amended Complaint on October 24, 2017. (Doc. No. 33). On December 1, 2017, this Court again entered an order requiring Plaintiff to file a second Amended Complaint within thirty days in order to cure the deficiencies in his Amended Complaint. (Doc. No. 34). The Court warned Plaintiff that his failure to amend the Complaint would result in dismissal without prejudice and without further notice to Plaintiff. (Id.). More than thirty days have elapsed since the Court's Order, and Plaintiff has failed to submit a second Amended Complaint. Given that Plaintiff has failed to respond to this Court's order, this action will be dismissed without prejudice for failure to prosecute.

IT IS, THEREFORE, ORDERED that:

- (1) This action is dismissed without prejudice.
- (2) The Clerk of this Court is directed to terminate this action.

Signed: February 14, 2018


Frank D. Whitney
Chief United States District Judge

